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LETTER DATED 21 APRIL 1992 FROM THE PERMANENT REPRESENTATIVE OF FRANCE TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith the letter that Judge Bruguière, who is in charge of the investigation into the bombing of UTA flight 772, addressed to the Minister of State, Minister for Foreign Affairs, on 16 April 1992.

Beginning of quotation:

"Sir,

"You kindly transmitted to me a copy of the Libyan file on the inquiry into the bombing of the UTA DC-10, which Mr. Mujber, Ambassador of Libya in Paris, gave to you for transmission to me in order to meet the requirements of Security Council resolutions 731 and 748.

"At your request, in response to the Libyan offers of judicial cooperation brought to my attention by your departments, I defined the position that the Libyan authorities should adopt with respect to the investigation that I am in charge of.

"I indicated to you in that connection that Libya should be requested to transmit to me without any reservations or conditions any data relevant to the inquiry that it had in its possession. The probative value of such data was to be assessed by me without appeal, and I would thus be able to assess the genuineness of Libya's willingness to cooperate.

"After they had been translated, I carefully examined the documents thus transmitted to me.

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* Reissued for technical reasons.

"I have the honour to inform you that the content of the documents produced as constituting the Libyan file on the inquiry is inconsistent and the documents therefore have no probative value. There are even anomalies in some documents.

"Thus, an examination of this file on the inquiry, which was transmitted late, moreover, does not in any way demonstrate that the Libyan authorities are willing to cooperate or that they genuinely intend to meet the requirements of the two above-mentioned Security Council resolutions.

"I shall leave it to you to transmit this assessment to Libya through the channel that you consider the most appropriate.

"Accept, Sir, the assurances of my highest consideration.

J. L. Bruguière
Senior Examining Magistrate
Paris, 16 April 1992"

End of quotation.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Jean-Bernard MERIMEE